

Judgment in a Civil Case

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**United States District Court**  
***District of North Dakota***  
**Southwestern Division**

Cindy M. Magelky

vs.

BNSF Railway Company,  
a corporation

AMENDED  
JUDGMENT IN A CIVIL CASE

Case Number: 1:06-cv-025



**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**The jury returned its verdict in favor of the plaintiff and found that BNSF violated the Federal Safety Appliance Act on or about July 2-3, 2004, and BNSF's violation of the Federal Safety Appliance Act did cause, in whole or in part, Cindy Magelky's injuries which resulted in damages in the amount of \$850,000.**

**The jury determined that BNSF was not negligent under the Federal Employer's Liability Act (FELA).**

June 5, 2008  
Date

s/ ROBERT ANSLEY  
Clerk

/s/ Lisa Carney  
(By) Deputy Clerk